IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

FAO No.457 of 2006

Date of Decision: 18.08.2006

Smt. Chameli Devi

...Appellant

Versus

Onkar Singh and others

... Respondents

CORAM : HON'BLE MR. JUSTICE UMA NATH SINGH
HON'BLE MR. JUSTICE S.D. ANAND

Present : Mr. K.K. Madan, Advocate,
for Mr. Gurcharan Dass,
for the appellant.

UMA NATH SINGH, J. (ORAL)

This FAO arises out of an award dated 3.10.2005 passed by the learned Presiding Officer, Motor Accident Claims Tribunal, Ropar, awarding a sum of Rs.20,000/- in death case of a 70 years old man.

Learned counsel submitted that a claim petition for Rs.3 lacs was laid before the Tribunal and the deceased remained hospitalized for considerable period but the Tribunal has come to a finding that the accident was not the cause of the death.

We have carefully examined the award so also the record filed with appeal and we do not find any merit in the plea for enhancement of compensation amount for the reason that though the deceased is said to have sustained injuries on his head, left leg, and other parts of the body, but he died of abdominal pain after about 1-1/2 months of the accident. The Tribunal has taken a considerate view in awarding Rs.20,000/- towards

medical expenses, even though the bills were not proved, and further the said expenses included transportation charges, which were also not proved. In the absence of any evidence to show that the deceased died of accident and further that he incurred expenses beyond what has been awarded by the Tribunal, we do not find any ground to entertain this appeal.

Accordingly, this FAO is, hereby, dismissed.

(UMA NATH SINGH)
JUDGE

August 18, 2006 **(S.D. ANAND)**
vkd **JUDGE**